



*Protecting people's rights.*

## REMARKS TO SUBCOMMITTEE ON PHARMACEUTICAL LIABILITY

I am Burton Craige, Legal Affairs Counsel for the North Carolina Advocates for Justice. I appreciate the opportunity to speak here today.

Like Kim Wilson, I have a longstanding interest in public health. My father was Chief of Cardiology for more than two decades at the UNC School of Medicine. Like Kim, I earned a master's degree in public health from UNC. I then served as administrator of a health care program in Madison County that offered medical, dental and pharmaceutical services. More recently, here in Wake County, I served as Chair of the Board of the Lucy Daniels Center, the Triangle's largest provider of mental health services for children.

As you listen to the presentations today, I'm sure the question comes to your mind as it does to mine: what good does this bill do for North Carolina?

- The bill deprives North Carolina citizens of their access to the courts.
- Citizens in other states will still be able to recover damages from drug companies, including those with operations in NC. Only NC consumers will be shut out.
- The bill provides no incentive for any out-of-state drug company to locate in NC, and no incentive for any drug company to stay in NC.
- Giving amnesty to negligent drug companies will not create a single job in NC.

Michigan enacted a similar immunity statute in 1996. In 2008, Pfizer, a major local employer, moved most of its Michigan operations to other states and overseas. Pfizer left behind 2,100 laid-off workers. Local business leaders described Pfizer's departure as a "gut punch."

Giving drug companies immunity did nothing for the Michigan economy. But the immunity law left Michigan consumers with no recourse when they suffered injuries from dangerous and defective drugs like Vioxx. And it deprived Michigan taxpayers of \$20,000,000 in the national Vioxx settlement.

Since Michigan passed its immunity bill 16 years ago, only one other state – Texas in 2003 – followed suit. The other 48 state legislatures have not chosen to sacrifice their citizens' rights in order to benefit multinational drug companies.

What is the "problem" that this immunity bill would fix? We are still waiting to hear. No one today – and no one in the House debates last year – identified a single unreasonable or excessive verdict against a drug manufacturer in NC. No one has produced a shred of evidence that drug companies need more protection in the NC courts.

The supporters of the bill claim that it does not provide immunity to drug companies, and that injured consumers can still obtain relief. In fact, the bill was written to ensure the defeat of virtually every claim against negligent pharmaceutical manufacturers. Here are two examples: